

Congress of the United States
Washington, DC 20515

May 25, 2005

The Honorable Nils J. Diaz
Chairman
Nuclear Regulatory Commission
11555 Rockville Pike
Rockville, MD, 20852

Dear Chairman Diaz:

We are writing regarding a disturbing allegation with serious homeland security implications that an employee of the Seabrook nuclear power plant recently brought to the attention of Rep. Markey's office.

Rep. Markey's office was informed that last year, a perimeter intrusion detection system was installed at the Seabrook nuclear power plant site. The system was supposed to alarm if an intruder attempted to penetrate the fence surrounding the facility. However, in an inspection that reportedly occurred earlier this month, Commission personnel concluded that the system had been incorrectly installed, had never been operational, and would likely have to be replaced. In the meantime, Seabrook officials are reportedly using reactor security guard forces to compensate for the inoperable security system, and have violated NRC regulations by forcing these security guards to work excessive amounts of overtime.

If these allegations are true, they represent a significant homeland security lapse at the Seabrook nuclear power plant, which the licensee appears to be compensating for by creating an overworked, overtired and consequently less effective security guard force. We ask for your prompt attention to the following questions:

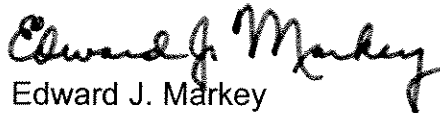
- 1) Did the Commission conduct an inspection of the perimeter intrusion detection system at the Seabrook nuclear power plant as reported by the individual who contacted Rep. Markey's office? If so, when did this inspection occur, for what reason was it conducted, and what was the conclusion? Please provide copies of any reports, emails or correspondence related to this inspection.
- 2) If it is true that the detection system is not, and has not ever been operable, how could that have occurred? Why wasn't the system tested when it was installed?
- 3) Has the licensee of the Seabrook power plant been out of compliance with Commission regulations due to its alleged failure to properly install or test its perimeter intrusion detection system? If not, why not? If so, what are

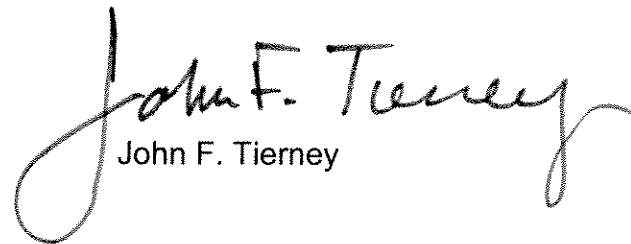
the maximum penalties as well as the penalties the Commission intends to impose for these failures?

- 4) When will a new security system be procured and installed? Does the Commission intend to verify that the system is operational once it is in place?
- 5) Will the Commission investigate the allegation that the licensee is violating overtime rules at Seabrook?
- 6) Has the Commission conducted investigations of other perimeter intrusion detection systems at other nuclear power plants? Please list all such inspections, as well as whether any other such systems have also been found to be dysfunctional.

Thank you very much for your consideration this matter. Please provide your response no later than Friday June 24, 2005. If you have questions or concerns, please have your staff contact Michal Freedhoff of Rep. Markey's staff at 202-225-2836 or Tracy Coogan of Rep. Tierney's staff at 202-225-8020.

Sincerely,


Edward J. Markey


John F. Tierney